

S C H E M E O F D E L E G A T I O N  
T O C O M M I T T E E S A N D  
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# Introduction and General Delegations

## A. Introduction

1. This scheme of delegation sets out the functions of the Council to be discharged by the Council, its Committees and Sub-Committees.
2. (a) The functions delegated to Committees and Sub-Committees under this scheme are subject to the Council's Standing Orders, Regulations and procedures.  
  
(b) A Committee or Sub-Committee dealing with a matter that has corporate policy or corporate budgetary implications (e.g. committing the Council to expenditure that has serious impact on the overall finances of the Authority) will normally refer the matter to the Policy and Resources Committee with recommendations. The Chief Executive may issue practical guidance as to the application of this paragraph.
3. Where a function is delegated to a Committee, that Committee may delegate the function to its Sub-Committee or an officer and the Sub-Committee may delegate its functions to an officer.
4. Where a function is delegated to more than one Committee or Sub-Committee, any one of those Committees or Sub-Committees may exercise the power.
5. All such matters as may be regarded as included by inference shall be comprised with the delegated functions of the Committee or Sub-Committee and delegated powers shall include all consequential or ancillary matters as necessary.
6. In this scheme a reference to an Act of Parliament shall be deemed to include a reference to any Act by which it is applied, extended, amended, consolidated or replaced. It shall also be deemed to refer to any statutory instrument, regulations, orders, byelaws or the like made or having effect as if made under such Act.
7. Any interpretation of this scheme shall be in accordance with the Council's wishes that the scheme shall not be construed restrictively.
8. The explanatory note at the beginning of the terms of delegation of each Committee and Sub-Committee is for information only and shall not be construed as part of the terms of reference themselves.
9. In this scheme of delegations the "full Council" means Brighton & Hove City Council sitting as the Council (as opposed to acting through Committees, Sub-

Committees or officers) and “Council” means Brighton & Hove City Council as a local authority.

## **B. General Delegated Powers**

Each Committee or Sub-Committee shall have the following powers and duties in relation to its functions in addition to those set out under each Committee and Sub-Committee's terms of reference:

1. To implement best value in relation to its functions;
2. To approve bids for European and national funding for schemes in relation its functions;
3. To control and manage such resources (finance, IT, property etc.) as may from time to time be assigned to it and to authorise the acquisition or disposal of property (other than land) for the purposes of its functions;
4. To declare land surplus to the requirements of the Committee's area of service. Management and future use of the land will be transferred to the Policy & Resources Committee. Any proposed acquisition of land not covered by the delegation to officers shall be referred to the Policy & Resources Committee;
5. Subject to the Council's employment policies and procedures, to determine all employment matters within its service area;
6. To be responsible for quality and equalities matters in relation to its functions.

## **C. General Advisory Powers**

Each Committee and Sub-Committee shall have the following advisory functions:

1. To consider and make recommendations to full Council on matters relating to or affecting the Committee or Sub-Committee's functions, including developing plans and strategies forming part of the policy framework for adoption by full Council, where the power to make decisions is reserved to full Council by law, Standing Orders or this scheme of delegations;
2. To consider and make recommendations to another Committee or Sub-Committee on matters related to or affecting its functions;
3. To consider and make recommendations to any body of the Council where it is considered desirable to do so.

# **Policy & Resources Committee**

## **Introductory Note**

This Committee has overall responsibility for the financial and other resources of the authority and for developing the authority's strategy and policy based on national government and local priorities. It also has responsibility for many of the services delivered to residents and customers. Its specific functions are set out in the following paragraphs.

## **Delegated Functions**

To exercise the functions of the Council in relation to:

### **1. Policy and Strategy**

The formulation, co-ordination and implementation of corporate policies and strategies and making decisions relating to such matters to the extent that they are not reserved to full Council.

### **2. Finance and Other Resources**

- (a) Establishing the framework for the allocation, control and management of the Council's resources including finance, assets, IT, land and other property;
- (b) Formulating budget proposals for adoption by the Council;
- (c) Making decisions or granting authorisations on expenditure in accordance with the requirements of financial standing orders;
- (d) Dealing with all financial services, including risk management, insurance and external and internal audit arrangements;
- (e) Dealing with any outstanding matters relating to transfer and disposal of property and personnel as a consequence of Local Government Reorganisation.

### **3. Partnerships**

- (a) The setting up, development and review of partnerships, including, but not limited to, the Local Strategic Partnership and the New Deal for Communities;
- (b) The co-ordination, development, adoption and review of the Community Strategy and making recommendations to full Council.

### **4. *Culture, Arts and Heritage***

The Council's functions in respect of *culture the arts and heritage and, without prejudice to the generality of the foregoing to exercise the Council's functions in respect of* the following:

- (a) Arts and entertainments;
- (b) Interpretative services;
- (d) Events;
- (e) Culture generally;

### **5. *Tourism, Marketing, Libraries and Museums***

- (a) Tourism, Marketing and conferences;
- (b) Libraries, museums, art galleries, historic buildings and their gardens and the functions of the Council regarding public records.

### **6. Economic Development**

The Council's functions regarding economic development.

### **7. Adult Learning and Employment**

- (a) Functions under the arrangements with the Learning and Skills Council for the provision of adult education; and
- (b) Regarding the employment of physically disabled persons and youth, providing that the functions regarding youth employment shall be limited to the management of the existing establishment in Hove.

Supporting people under Section 93 Local Government Act 2000 (grants for welfare services).

## 8. Community Development

Community development functions, in particular by developing and supporting sustainable neighbourhoods and communities through specific actions.

## 9. Grants

Grants to community organisations and non-profit making bodies in the area of the Council providing that this shall not include grants in respect of educational charities which are the responsibility of the Children, Families and Schools Sub-Committee.

## 10. Shoreham Airport

Shoreham Airport where the matter is outside the terms of delegation of the Shoreham Airport Joint Committee.

## 11. Management of Establishments

All matters concerning establishments under the management of the *Assistant Director Major Projects*, as are more particularly set out under paragraph 3 of the terms of delegation to the *Chief Executive*.

## 12. Catering Services in Council Establishments

*All matters in connection with the provision of catering services in Council Establishments.*

## 13. Best Value

The establishment of a framework for the achievement of Best Value by the Council.

## 14. Human Resources

Establishing the framework for human resources policies and procedures and the discharge of the Council's functions as an employer where this is exercisable by a Committee.

## 15. Property Management

- (a) *the management of land held for the purposes of the functions of the Committee, corporately held property and land declared surplus to the requirements of a Committee or the service area of a Chief Officer under paragraph B4 of the Introduction to this Scheme of Delegation or paragraph 3.(j) of Part A. of the Scheme of Delegation to Officers;*

- (b) To authorisation of the acquisition or disposal of any land held by the Council providing that any proposal for the transfer of housing land which requires the consent of the Secretary of State shall be referred to full Council with recommendations.

## 16. Appointment to outside bodies

*The appointment of* representatives to outside bodies between annual Council meetings where the timing is such that it will be more expedient for the appointment to be made by Policy & Resources Committee than full Council.

## 17. General Powers

- (a) All *other* functions of the Council not specifically delegated to another Committee or reserved to full Council under the law, this scheme of delegation, standing orders or procedure rules;
- (b) Matters referred to *the Committee* by other Committees or Sub-Committees as having corporate budgetary or policy implications.

## 10. Sub-Committees, Task Groups and Consultation Forums

The setting up, review and abolition of Sub-Committees, task groups, consultation forums and commissions.

## 11. Miscellaneous Service Functions

To exercise the Council's functions in relation to the following services/functions:

- (a) Electoral and ceremonial matters relevant to the Council;
- (b) Matters concerning the Fire Authority;
- (c) Legal and Complaints Services;
- (d) Performance management and corporate procurement;
- (e) Equalities and Social justice;
- (f) Licensing and registration, health and safety at work (in so far as it relates to the Council as an employer), bereavement and Coroner's Services.
- (g) Revenues and Benefits, including Housing Benefit and Council Tax Benefit, the administration, collection and enforcement of Council Tax, Non-domestic Rates and any outstanding issues regarding General Rates and the Community Charge;



- (h) Registration of births, deaths, marriages, partnerships and associated functions;
  - (i) Local Land Charges;
  - (j) Corporate Information and Communication Technology Services;
  - (k) Corporate Communications and Services for Councillors.
- ## **Licensing and Regulatory Functions Sub-Committee**

### **Explanatory Note**

This is a Sub-Committee of the Policy & Resources Committee and deals with appeals against licensing and registration decisions and cases where officers do not have the power to make determinations. It will also serve as the appellate Committee where there is a right of appeal from a decision of an officer and no other arrangements have been made.

### **Delegated functions**

#### **1. Regulatory Functions**

Within the policy framework set by the Policy & Resources Committee, to exercise the functions of the Council in relation to the following:

- (a) Licensing & Registration;
- (b) Environmental Health;
- (c) Trading Standards;
- (d) Building Control;

excluding the adoption, revocation or amendment of policies.

#### **2. Determinations and Appeals**

To hear and determine cases where there is a right (under the Human Rights Act 1998 or otherwise) to be given the opportunity to appear before and be heard by a Committee or Sub-Committee of the Council, and no other arrangements have been made for dealing with such matters.

# **Personnel Appeals Panel**

## **Explanatory Note**

This Panel has Sub-Committee status and will deal with appeals against dismissals, grading and other grievances in accordance with agreed personnel procedures.

## **Delegated Functions**

To exercise the functions of the Council in relation to determining appeals against dismissals, grading and other personnel related grievances.

[NOTE the Council may approve a restricted pool of Councillors for this Sub-Committee, in which case any meeting of the Sub-Committee must comprise of only Councillors from the pool and no Substitution by non-pool Councillors will be allowed]



# Housing Committee

## Explanatory Note

This Committee has *overall* responsibility for *the Council's housing functions, including Council housing, homelessness, allocation and standards of housing in the area.*

## Delegated functions

1. *To discharge the Council's functions as a housing authority and, without prejudice to the generality of this paragraph to discharge the specific functions set out in the following paragraphs.*

### 2. **Strategic and Private Sector Housing**

To the Council's functions in relation to:

- (a) The Council's housing strategy, including the housing investment programme *(providing that the final adaptation or approval of the housing improvement programme shall be referred to full Council)*
- (b) Homelessness and the allocation of housing;
- (c) Private sector housing, including taking action to remedy overcrowding, disrepair, unfitness and statutory nuisances; to promote fire safety in private sector housing and the Council's functions in relation to houses in multiple occupation;
- (d) Tenancy relations and the provision of housing advice;
- (e) Housing loans and grants.

### 3. **Housing Landlord Functions**

*To discharge the Council's functions as a housing landlord including the management of property within the Housing Revenue Account and associated properties.*

### 4. **Supporting People**

To discharge the Council's functions for supporting people under Section 93 Local Government Act 2000 (grants for welfare services).



# ***Housing Management Sub-Committee***

## ***Explanatory Note***

***This is a Sub-Committee of the Housing Committee. The Sub-Committee will discharge the Council's functions as a housing landlord, including residential leases granted by the Council. The Sub-Committee will include non-voting tenant representatives.***

## ***Delegated functions***

### ***1. Housing management***

***To exercise the functions of the Council in relation to the management of Housing Revenue Account and associated properties providing that this shall not include approval of the Housing Revenue Account or a general change in rent levels.***

### ***2. Tenant Consultation***

- (a) To manage and supervise the Council's tenants participation scheme and such other consultation with tenants as may be necessary;(b) To consider representations received through the tenants' consultation scheme and make decisions where the matter is within the powers delegated to the Sub-Committee above or make recommendations to the appropriate Committee.***

# **Education and Social Services Committee**

## **Explanatory Note**

This is the Parent Committee of the Children, Families and Schools and Adult Social Care and Health Sub-Committees. The functions of the Committee are expected to be discharged mainly through the Sub-Committees and it is therefore unlikely to meet frequently.

## **Delegated Functions**

### **1. Social Services Committee**

To be the Social Services Committee of the Council established under Section 2 of the Social Services Act 1970.

### **2. Children and Young People**

To exercise the functions of the Council as Local Education Authority, Social Services Authority and other functions concerning children and young persons as are more particularly set out in the terms of reference of the Children, Families and Schools Sub-Committee.

For the purposes of this scheme of delegations, the term "young persons" shall include persons up to the age of 19.

### **3. Adult Social Services**

To discharge the functions of the Council regarding adult social services as more particularly set out under the terms of delegation of the Adult Social Care & Health Sub-Committee.



# **Children, Families and Schools Sub-Committee**

## **Explanatory Note**

This Sub-Committee will discharge the Council's functions regarding education and children's social services, including services to persons up to the age of 19.

## **Delegated Functions**

To exercise the functions of the Council:

1. as a Local Education Authority under any enactment relating to education, youth services and the employment of children;
2. in relation to educational charities;
3. in partnership arrangements with other bodies connected with the delivery of education;
4. which under any enactment stand referred to the Social Services Committee, in respect of children and young people;
5. in partnership arrangements with other bodies connected with the delivery of services for children, young people and families;
6. regarding families in connection with the functions of the Sub-Committee set out above or where there are no other arrangements made under this scheme of delegation.

# **Adult Social Care & Health Sub-Committee**

## **Explanatory note**

This Sub Committee is responsible for adult social services and joint delivery of services with the Health Service.

## **Delegated Functions**

### **1. Adult Social Services**

- (a) To exercise the functions of the Council which under any enactment stand referred to the Social Services Committee, in respect of adults;
- (b) To exercise all of the powers of the Council in relation to the issue of certificates to blind people; the issue of badges for motor vehicles for disabled people and the grant of assistance to voluntary organisations exercising functions within its area of delegation;
- (c) To exercise the functions of the Council in relation to the removal to suitable premises of persons in need of care and attention.

### **2. Partnership with the Health Service**

To exercise the Council's functions under or in connection with the arrangements with the Health Service pursuant to Section 31 of the Health Act 1999.

# Environment Committee

## Explanatory Note

This Committee is responsible for sustainability, planning, community safety, parks and green spaces, travellers, highways, transport, waste and coast protection. It discharges its development control functions through the Planning Applications Sub-Committee.

## Delegated Functions

### 1. Sustainability

To co-ordinate the Council's functions in relation to sustainability.

### 2. Town and Country Planning

To exercise the Council's functions as Local Planning Authority under the Town and Country Planning Acts

[Note: the Council's functions regarding development control will be exercised through the Planning Applications Sub-Committee]

### 3. Community Safety

To co-ordinate the Council's functions regarding the police and public safety and to take such action as is necessary, including:

- (a) making consultative arrangements under the Police Act 1996;
- (b) drawing up community safety plans;
- (c) co-ordinating the Council's functions under the Crime and Disorder Act 1998 including the formulation, with other responsible authorities, of strategies for reducing crime and disorder and the making of child curfew schemes providing that this shall not include the adoption of the Crime and Disorder Reduction Strategy.

### 4. Parks and Green Spaces

To exercise the Council's functions in relation to Parks and Open Spaces to the following extent:-

- (a) provision, management and control of parks and open spaces (except those held for housing purposes and excluding the control and use/hiring out of any leisure facilities and the organising of recreational activities and events);

- (b) making countryside management arrangements in liaison with the Sussex Downs Conservation Board (or any successor body) and other environmental bodies;
- (c) provision, management and control of allotments and smallholdings.

#### **5. Travellers**

To exercise the Council's functions in relation to travellers including management of authorised sites.

#### **6. Highways Management**

To exercise the Council's functions in relation to all highways matters and as highway authority, street authority, bridge authority, including but not limited to highways, bridges, private streets and rights of way.

#### **7. Traffic Management and Transport**

- (a) To manage the provision of transport services for service departments including home-school transport and transport for social services;
- (b) To exercise the Council's functions in relation to traffic management and transport and as traffic authority, including but not limited to public passenger transport and the co-ordination of transport for service users;
- (c) To consider and make decisions on proposed traffic orders and rights of way issues where objections have been received and not withdrawn or otherwise resolved;
- (d) To exercise the Council's powers regarding travel concessions.

#### **8. Parking**

To exercise the Councils' functions in relation to parking, including on and off street parking and decriminalised parking.

#### **9. Waste**

To exercise the Council's functions in relation to waste and as waste collection authority, waste disposal authority and litter authority, including dealing with litter, street cleansing, abandoned vehicles and dog fouling.

#### **10. Conservation & Design**

To exercise the Council's functions in relation to Conservation and Design including the Hove Borough Council Act 1976.

**11. Coast Protection**

To exercise the Council's functions as a coast protection authority.

**12. Leisure Sports and Recreation**

*To exercise the Council's functions regarding the provision and management of leisure, sports and recreation facilities.*

**13. Seafront**

*To exercise the Council's functions regarding the esplanade, beach and foreshore.*

**14 Environmental Health**

*To exercise the Council's functions in relation to environmental health, air pollution control, health and safety at work (except in so far as it relates to the Council as an employer- which is delegated to the Policy & Resources Committee) public conveniences, food safety, control of nuisances, including noise control and control of dogs.*

**14. Building Control**

*To exercise the Council's functions regarding building control.*

**15 Trading Standards**

*To exercise the Council's functions regarding trading standards, including but not limited to consumer protection, product safety, fair trading, metrology, food standards and animal health;*

*(h) Neighbourhood Services to the extent that they are not included in (vi) and (vii) above and not specifically delegated to the Environment Committee;*

# Planning Applications Sub-Committee

## Explanatory note

This is a Sub-Committee of the Environment Committee and will exercise the Council's functions in relation to development control matters.

## Delegated functions

- 1 To consider and determine applications for planning permission, listed building consent, and conservation area consent submitted under the Town and Country Planning Acts.
- 2 To consider and determine applications for the display of advertisements Submitted under the Town and Country Planning (Control of Advertisements) Regulations.
- 3 To exercise any other function of the Council under the Planning Acts whether as a local planning authority or otherwise which may be referred to it by either the Director of Environment or the Director of City Services.
- 4 In relation to the functions of the Sub-Committee, to receive, consider and make decisions on reports received from the Environment Committee.
- 5 To determine whether prior approval applications for the construction, installation, alteration or replacement of telecommunications masts submitted under Part 24 Schedule 2 of the General Permitted Development Order 1995 should be granted or refused.

[NOTE: The Council may approve a restricted pool of Councillors to serve as members or Substitute members of the Sub-Committee in which case any meeting of the Sub-Committee must comprise of only Councillors from the pool and no Substitution by non-pool Councillors will be allowed.]

# **LICENSING COMMITTEE**

## ***Explanatory Note***

***The licensing Bill currently going through Parliament transfers responsibility the liquor licensing from the magistrates court to local authorities and rationalises the law on the licensing of entertainments. One of the requirements of the Bill is for local authorities to set up a separate Licensing Committee to discharge the functions under the Bill when enacted. The Licensing Committee is responsible for co-ordinating the preparations for the implementation of the Bill and will assume its full functions when the Act comes into force. In the meanwhile it will operate as a "shadow" Licensing Committee.***

## ***Delegated Functions***

- 1. To co-ordinate and oversee the preparation for the implementation of the proposals in the Licensing Bill.***
- 2. When the Bill is enacted and comes into force to undertake all functions which, under the act, stand referred to a Licensing Committee, including, but not limited to the following:***
  - (a) Applications for a personal licence;***
  - (b) Applications for premises licence/club premises certificate;***
  - (c) Applications for provisional statement***
  - (d) Applications for Interim Authorities***
  - (e) Advising the Council on proposed statement of Licensing Policy***
- 3. The powers of the Committee under 2 shall include all applicants for the grant, renewal, variation or revocation of any licence or consent or any actions which a Licensing Committee is required or authorised to take under the Act.***

***NOTE: It is likely that many of the proposed functions under the Bill will be delegated to a Sub-Committee or Officers. The grant arrangements will the subject of further consideration.***

# ***The Standards Committee***

## ***Explanatory Note***

***The Standards Committee deals with issues of conduct among Members and Officers and deals with complaints referred to it by the Standards Board, grants dispensations regarding Members' interests and promotes high ethical standards generally. The Standards Committee consists of six Councillors, one Parish Council representative from Rottingdean Parish Council and three independent Members, none of whom are Councillors or Officers of the Council or any other body having a Standards Committee. All Members of the Standards Committee are entitled to vote at meetings. The Chair of the Standards Committee is an elected Councillor. Standards Committees are not subject to the political balance rules in section 15 of the Local Government and Housing Act 1989.***

## ***Delegated Functions***

***The Standards Committee will have the following delegated functions:***

### ***Setting standards of conduct throughout the City Council***

- 1. promoting and monitoring high standards of conduct within the Council;***
- 2. advising the Council on the adoption or revision of Codes of Conduct for Members and Officers;***
- 3. monitoring the operation of the Council's Codes of Conduct;***
- 4. responsibility for the overview of internal and external audit in so far as it relates to standards of conduct;***
- 5. responsibility for the overview of the whistleblowing policy;***
- 6. at the request of the Policy and Resources Committee to review parts of the constitution and make recommendations to the Policy and Resources Committee and the Council.***
- 7. receiving and considering reports or recommendations of the Monitoring Officer;***
- 8. responsibility for the overview of complaints handling and Ombudsman investigations;***

### ***Building capacity to meet high standards of conduct***



9. *advising, training or arranging to train Members and Officers on probity and ethical matters including Code of Conduct issues;*
10. *granting dispensations to Councillors and co-opted Members from requirements relating to interests set out in the Code of Conduct;*
11. *supporting the Monitoring Officer in his/her statutory role and issuing guidance on his/her role;*
12. *supporting the Chief Finance Officer in his/her statutory role and issuing guidance on his/her role;*

#### *Enforcing standards of conduct*

13. *dealing with any reports from a case tribunal or interim case tribunal, and any report from the Monitoring Officer on any matter which is referred by an ethical standards officer to the Monitoring Officer;*
14. *determining and implementing appropriate action on other matters referred to the Council by the Standards Board for England;*
15. *appointing an ad hoc panel to consider matters referred from the Standards Board for England and to assist the Monitoring Officer in carrying out any investigation of conduct matters;*

#### *Functions in relation to bodies other than the City Council*

16. *exercising the functions in paragraphs 1 to 3, 7 to 8 and 12 to 13 in relation to Rottingdean Parish Council and the Members of that Parish Council;*
17. *exercising the functions of the Council in relation to the ethical framework and standards of conduct of Rottingdean Parish Council, joint Committees and other bodies;*

#### *Procedure*

*The Standards Committee may develop its own procedures and protocols for dealing with matters of conduct.*

# Shoreham Airport Joint Committee

## Explanatory Note

This is a joint Committee of Brighton & Hove City Council and Worthing Borough Council. Its role is to make decisions regarding the management of the airport.

It should be noted that:-

- The Culture, Regeneration and Housing Committee is authorised to exercise the Council's functions regarding Shoreham Airport where a matter is outside the terms of delegation of the Shoreham Airport Joint Committee.
- The revenue budget, capital programme and final accounts of Shoreham Airport are required to be submitted annually for approval to the Council and Worthing Borough Council as the constituent authorities. Any distribution of surpluses also requires the approval of both constituent authorities.
- The Shoreham Airport Joint Committee has delegated some of its functions to a joint Sub-Committee known as the Management Board.

## **A Delegated Functions**

To make decisions regarding the management of Shoreham Airport in accordance with arrangements made between the Council and Worthing Borough Council (including arrangements agreed by predecessor authorities).

## **B Advisory Functions**

To consider all matters regarding the airport and make recommendations to the Culture, Regeneration & Housing Committee.

# **East Sussex County Council and Brighton & Hove City Council Integrated Waste Management Services Contract Committee**

## **Explanatory Note**

This is a joint Committee of Brighton & Hove City Council and East Sussex County Council. Its role is to oversee the implementation and operation of the Integrated Waste Management Contract.

The Committee's ways of working are governed by the Constitution Agreement between East Sussex County Council and Brighton & Hove City Council.

## **Functions of the Committee**

To administer the operation of the waste management arrangements of the Councils in accordance with the Joint Working Agreement entered into by the Councils and in accordance with the Principal Contract entered into by the Councils

Within the policy and budget frameworks set by each Council the Committee will:

- be responsible for the operational and management issues to ensure the effective implementation and operation of the Joint Working Agreement and the Principal Contract;
- be responsible for the administration of the budgets set by each Council;
- be responsible for the administration of any contract management arrangements as set out in the Joint Working Agreement; and
- exercise such powers as each Council may from time to time delegate to the Committee.

The Joint Committee will not be responsible for and may not make decisions in respect of:

- the determination of the budget of either Council regarding waste management;
- any change to the waste management policies and waste management targets of either Council;
- the selection and development of sites for waste management and any associated acquisition and planning procedures; and

- any change of policy or procedure regarding the source separation of waste.
- The Committee shall not be empowered to acquire land or any interest in land.
- The Committee may at any time refer any matter to either or both Councils for advice or determination.

## **Terms of Reference for established Advisory Groups and Forums**

# Sustainability Commission

## 1. Purpose

- 1.1 The purpose of the Commission is to help the City Council develop and implement its sustainability policies as a mainstream part of its activities, including partnership work with other agencies and bodies.

## 2. Objectives and scope

- 2.1 To lead on the development, implementation, monitoring and review of the Council's Sustainability Strategy and Action Plans; and the development of a Local Agenda 21 in partnership with local communities.
- 2.2 To promote innovative thinking, best practice and joint working in developing sustainable approaches to delivering the Council's services and to advise The Management Team of the Council on integrating sustainability into all aspects of their work
- 2.3 To develop the capacity of the wider community to make informed, sustainable decisions and build on the work of the ninelives campaign to promote greater understanding of the contribution that sustainable development can make to improving people's quality of life.
- 2.4 To work with the voluntary and community sector, business and others to promote sustainable development, emphasising the importance of integrating economic, social and environmental issues and advising on implementation within the context of the community strategy and the Council's overall vision and priorities.
- 2.5 To work with the Local Strategic Partnership to ensure that Local Agenda 21 is an integral part of the community strategy; and to work with other groups and organisations to promote the City Council's participation in sustainability partnerships and networks.

## 3. Reporting and Accountability

- 3.1 The Commission will report to, and be accountable to, the Council's Policy and Resources Committee.
- 3.2 To reflect the significance of sustainability to 'economic, social and environmental well-being' the Commission will, in addition, be able to report to any of the Council's other committees and the Local Strategic Partnership.

[Note: The Commission will operate in an advisory capacity and will not have executive decision making powers].

#### **4. Review**

**4.1** The work of the Commission will be reviewed bi-annually.

# ***Arts Commission – Terms of Reference***

## ***1. Purpose***

***1.1 The purpose of the Commission is to help the City Council develop and implement its arts and creative industries policies as a mainstream part of its activities, including partnership work with other agencies and bodies.***

## ***2. Objectives and scope***

***2.1 To advise the council on arts and creative industries development***

***2.2 To oversee policy development in the area of arts and creative industries***

***2.3 To take forward any continued involvement of Brighton and Hove in the UK Capital of Culture initiative***

***2.4 To promote innovative thinking, best practice and joint working in the sector***

***2.5 To represent the city's arts and creative industries sector in a regional or national capacity as required***

## ***3. Reporting and Accountability***

***3.1 The Commission shall report to, and be accountable to, the Council's Policy and Resources Committee. Such a report shall be submitted to the Committee at least on a quarterly basis and include work undertaken and any proposed work programme.***

***The Commission will, in addition, be able to report to any of the Council's other committees, the Local Strategic Partnership and the Arts Council.***

***The Commission will operate in an advisory capacity and will not have decision-making powers.***

## ***4. Membership***

***4.1 The Commission shall consist of up to 30 members including representatives from across the arts and creative industries, business, tourism, heritage, education sectors and the local authority.***

***4.2 The Chair of the Commission shall be appointed by the Chief Executive after consultation with the Leaders of the political groups in the Council.***

***4.3 Six of the Members of the Commission shall be Councillors appointed by the Council in the follow proportions (2 Labour, 2 Conservative, 1 Green and 1 Lib Dem).***

***4.4 The Membership of the commission shall be reviewed as part of the annual review of the Commission by the council's Policy and Resources committee***

## ***5. Review***



*5.1 The work of the Commission will be reviewed annually.*

## ***Terms Of Reference For The Independent Remuneration Panel***

*Amended May 2003*

### ***1. COMPOSITION***

***1.1 The Independent Remuneration Panel ("the Panel") shall consist of between three and five members appointed by the Monitoring Officer after consultation with the Chief Executive.***

### ***2. FUNCTIONS OF THE PANEL***

***2.1 The functions of the Panel shall be as set out in Regulation 21 of the Local Authorities (Members' Allowances) (England) Regulations 2003, namely to produce a report in relation to Members of the Council making recommendations:***

- (a) as to the amount of basic allowance which should be payable to Members;***
- (b) as to the duties in respect of which such Members should receive a special responsibility allowance and as to the amount of such allowance;***
- (c) as to whether the allowance scheme should include allowances in respect of the expenses of arranging for the care of children or dependants of such Members and the amount of such allowances;***
- (d) as to the responsibilities or duties in respect of which a travel and subsistence allowance should be available;***
- (e) as to the responsibilities or duties in respect of which a co-optees' allowance should be available;***
- (f) as to whether payment of allowances may be backdated in accordance with regulation 10(6) in the event of the scheme being amended at any time;***
- (g) as to whether adjustments to the level of allowances may be determined according to an index and, if so, which index and how long that index should apply;***
- (h) as to which Members of an authority are to be entitled to pensions in accordance with a scheme made under section 7 of the Superannuation Act 1972;***

- (i) as to treating basic allowance or special responsibility allowance, or both, as amounts in respect of which such pensions are payable.*
- (j) as to whether any allowances to Members should be withheld to Members should be withheld in the event of the Member concerned being suspended or partially suspended.*

**2.2** *Where the Independent Remuneration Panel exercises its functions in relation to the Parish Council within the authority's area, its functions shall be as set out in Regulation 28 of the Local Authorities (Members' Allowances) (England) Regulations 2003, namely to produce a report in relation to members of the Parish Council making recommendations:*

- (a) as to the amount of parish basic allowance which should be payable to Parish Council members;*
- (b) the amount of travelling and subsistence allowance payable to members of such authorities;*
- (c) as to whether parish basic allowance should be payable only to the chairman of the Parish Council or to all of its members;*
- (d) as to whether, if parish basic allowance should be payable to both the chairman and the other members of any such authority, the allowance payable to the chairman should be set at a level higher than that payable to the other members and, if so, the higher amount so payable;*
- (e) as to the responsibilities or duties in respect of which members should receive parish travelling and subsistence allowance.*

**2.3** *In addition to the functions under 2.1 and 2.2 above, the Panel may, if requested to do so by the Monitoring Officer, consider the expenses allowances paid to the Mayor and Deputy Mayor under Sections 3 and 5 of the Local Government Act 1972.*

### **3. TERM OF OFFICE OF MEMBERS OF THE PANEL**

**3.1** *Members of the Panel shall be appointed for an initial term of three years. The Council may, at its discretion, extend this period. The Council or the member of the Panel may determine the appointment by giving one month's notice.*

### **4. MEETINGS**

**4.1** *The Panel shall be chaired by a person appointed by the Panel from its members.*

- 4.2 The Panel shall meet on such dates and at such times as the Panel may determine, having regard to the advice from the Monitoring Officer.***
- 4.3 The quorum for meetings of the Panel shall be at least 50% of the members of the Panel.***

## **Equalities and Social Justice Forum**

The purpose of the Equalities & Social Justice Consultation Forum is to effectively promote the Council's City Leadership role with regard to equalities. In doing so, the

Forum will assist in developing and monitoring the implementation of the Council's Equalities Policy.

The Forum, through its' Work Programme, will receive, consider and advise on reports and presentations on the implementation of the Council's equalities policies and related policies and strategies.

The Forum will seek to strengthen relations with communities of interest and develop closer working to achieve effective progress in equalities issues by establishing ad-hoc Action Groups. Each Action Group will undertake issue-based assignments, the resulting recommendations for action to go to the Forum for adoption and implementation within the decision-making framework (Executive Committees).

Community representation on the Forum totalling no more than 15 will be invited from a range of diverse groups representing the communities of interest in Brighton & Hove.

The range of areas on which the forum may be involved include:

1. Developing, monitoring and advising on the council's equalities policies and strategies to ensure fair and equitable delivery of council services and employment practise.
2. Promoting best practice with regard to equalities policies and strategies.
3. Considering and evaluating the results of consultation carried out with equalities communities of interest.
4. Promoting the participation and involvement of equalities communities of interest in decision-making.
5. Promoting and campaigning for change locally and nationally in order to further the aims and objectives of the council's equalities policy.
6. Producing an annual report 'Progress on Equalities' to highlight progress made by the Forum and outlining future Work Programme.

# Community Safety Forum